



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION 5

77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

JUN - 4 2010

REPLY TO THE ATTENTION OF:  
(AE-17J)

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Ken Neyhard  
Vice President, Operations  
International Converter, Inc.  
17153 Industrial Highway  
Caldwell, Ohio 43724

Re: Notice and Finding of Violation at  
International Converter, Inc., Belpre, Ohio

Dear Mr. Neyhard:

This is to advise you that the U.S. Environmental Protection Agency (EPA) has determined that International Converter, Inc. (ICI) at 721 Farson Street, Belpre, Ohio (facility) was in violation of the Clean Air Act (CAA) and associated federal pollution control requirements. A list of the requirements violated is provided in the attached Notice of Violation and Finding of Violation (NOV/FOV). We are today issuing to you an NOV/FOV for these violations.

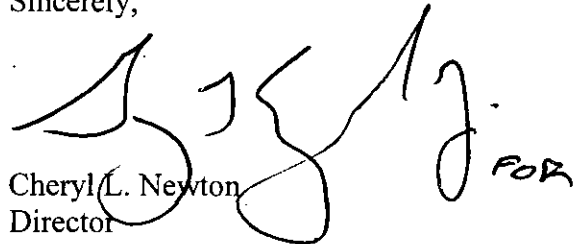
The CAA requires the development of Primary and Secondary National Ambient Air Quality Standards to protect public health and welfare. To attain and maintain these standards, each state is required to develop a federally enforceable state implementation plan (SIP). The CAA also requires EPA to develop National Emission Standards for Hazardous Air Pollutants (NESHAP) to protect the public from emissions of Hazardous Air Pollutants. EPA finds that ICI has violated the Printing and Publishing Industry NESHAP, located at 40 C.F.R. Part 63, Subpart KK and the Ohio SIP. These violations constitute violations of the CAA.

Section 113 of the CAA gives us several enforcement options to resolve these violations, including: issuing an administrative compliance order, issuing an administrative penalty order, bringing a judicial civil action, and bringing a judicial criminal action.

Section 113 of the CAA provides you with the opportunity to request a conference with us about the violations alleged in the NOV/FOV. This conference will provide you a chance to present information on the identified violations, any efforts you have taken to comply, and the steps you will take to prevent future violations. Please plan to have your facility's technical and management personnel take part in these discussions. You may have an attorney represent and accompany you at this conference.

The EPA contacts in this matter are Sheila Desai, Environmental Engineer, and Kathleen Schnieders, Associate Regional Counsel. You may call them at (312) 353-4150 and (312) 353-8912, respectively, if you wish to request a conference. EPA hopes that this NOV/FOV will encourage ICI's compliance with the requirements of the Clean Air Act.

Sincerely,

A handwritten signature in black ink, appearing to read "Cheryl L. Newton". The signature is stylized with large loops and a long horizontal stroke extending to the right. To the right of the signature, the word "FOR" is written in a similar handwritten style.

Cheryl L. Newton  
Director  
Air and Radiation Division

Enclosure

cc: Robert Hodanbosi, Chief  
Division of Air Pollution Control  
Ohio Environmental Agency

Bruce Weinberg, APC Manager  
Southeast District Office  
Ohio Environmental Protection Agency

United States Environmental Protection Agency  
Region 5

IN THE MATTER OF:	)	
	)	
International Converter, Inc.	)	<b>NOTICE OF VIOLATION AND</b>
Belpre, Ohio	)	<b>FINDING OF VIOLATION</b>
	)	
Proceedings Pursuant to	)	EPA-5-10-OH-13
the Clean Air Act,	)	
42 U.S.C. §§ 7401 et seq.	)	
	)	

**NOTICE OF VIOLATION AND FINDING OF VIOLATION**

International Converter, Inc. (you or ICI) owned and operated four continuous paper/foil laminating units at 712 Farson Street, Belpre, Ohio (the facility).

The U. S. Environmental Protection Agency is sending this Notice of Violation and Finding of Violation (NOV/FOV) to you for violations of the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Printing and Publishing Industry, 40 C.F.R. Part 63, Subpart KK (Printing and Publishing NESHAP) and the federally enforceable Ohio State Implementation Plan (SIP). A list and explanations of the violated requirements are provided below. These violations constitute violations of the Clean Air Act (CAA or the Act).

Section 113 of the CAA provides you with the opportunity to request a conference with us to discuss the violations alleged in the NOV/FOV. This conference will provide you a chance to present information on the identified violations, any efforts you have taken to comply, and the steps you will take to prevent future violations. Please plan to have the facility's technical and management personnel take part in these discussions. You may have an attorney represent and accompany you at this conference.

**Explanation of Violations**

The following factual background, regulatory requirements, and violations are relevant to this NOV/FOV:

Factual Background:  
Statutory and Regulatory Framework

1. Section 110 of the Act requires states to develop and submit for approval state implementation plans (SIPs) to implement requirements of the Act.
2. On October 31, 1980, EPA approved the federally enforceable Ohio SIP.  
45 Fed. Reg. 72119. The Ohio SIP is codified in the Ohio Administrative Code (OAC).

3. At all times relevant to this matter, Ohio's permitting program for sources of air pollution was found at OAC 3745-35. [Effective June 30, 2008, the Ohio PTO rule was rescinded and replaced with the Permit-to-Install and Operate Program (PTIO) found at OAC 3745-31]
4. 40 C.F.R. § 52.23 provides that failure to comply with any approved regulatory provision of a SIP or with any permit limit or condition contained within an operating permit issued under an EPA-approved program that is incorporated into the SIP, shall render the person so failing to comply in violation of a requirement of an applicable implementation plan and subject to enforcement action under Section 113 of the Act.
5. Section 112(d) of the Act authorizes EPA to promulgate regulations for particular industrial sources that emit one or more of the hazardous air pollutants (HAPs) listed in Section 112(b) in significant quantities. Regulations promulgated pursuant to Section 112(d) are known as National Emissions Standards for HAPs (NESHAPs).
6. A major source is any source that has the potential to emit 10 tons per year or more of any single HAP or 25 tons per year of any combination of HAPs. CAA §112(a)(1), 42 U.S.C. § 7412(a)(1)
7. Sources of HAPs that are not major sources are known as area sources. 40 C.F.R. § 63.2
8. Pursuant to Section 112(d) of the Act, EPA promulgated the Printing and Publishing NESHAP, 40 C.F.R. Part 63, Subpart KK, on May 30, 1996, with an effective date of May 30, 1999. 61 Fed. Reg. 27140
9. The Printing and Publishing NESHAP applies to each new and existing facility that is a major source of HAP at which publication rotogravure, product and packaging rotogravure, or wide-web flexographic printing presses are operated. 40 C.F.R. § 63.820(a)
10. The Printing and Publishing NESHAP establishes criteria that a facility can commit to and comply with to establish the facility as an area source of HAP with respect to Subpart KK (hereinafter "area source criteria"). 40 C.F.R. § 63.820(a)(2)
11. Sources meeting the area source criteria are considered affected sources under the Printing and Publishing NESHAP, though subject to fewer provisions than a major source. 40 C.F.R. § 63.820(a)(3)
12. The first criteria for area sources requires the source use less than 9.1 Mg (10 tons) per each rolling 12-month period per HAP at the facility, including materials used for source categories or purposes other than printing and publishing. 40 C.F.R. § 63.820(a)(2)(i)
13. The other criteria for area sources requires the source to use less than 22.7 Mg (25 tons) per each rolling 12-month period of any combination of HAPs at the facility, including materials

used for source categories or purposes other than printing and publishing. 40 C.F.R. § 63.820(a)(2)(ii)

14. Area sources must submit an initial notification, submit various reports, maintain records, and demonstrate compliance. 40 C.F.R. § 63.830(b)(1)
15. Area sources must also maintain records of all required measurements and calculations needed to demonstrate compliance with these criteria, including the mass of all HAP containing materials used and the mass fraction of HAP present in each HAP containing material used, on a monthly basis. 40 C.F.R. § 63.829(d)
16. At all times relevant to this matter, the Ohio SIP required area sources to obtain Permits to Operate (PTOs). OAC 3745-35.

#### The Facility

17. ICI was in the business of operating publication rotogravure, product and packaging rotogravure, and/or wide-web flexographic printing presses at the facility.
18. The facility was a source of HAPs, though not a major source.
19. ICI owned and operated four continuous paper/foil laminators at the facility. The laminators were designated as emission units K001 (Laminator #1), K002 (Laminator #2), K003 (Laminator #3), and K006 (Laminator #5).
20. ICI closed the facility in December of 2008.
21. The facility operated under PTO number 06840010040 K001, issued by the State of Ohio on September 6, 2004.
22. Laminators 2, 3 and 5 each also had individual PTOs. Laminator #5's PTO was issued February 23, 2001 and Laminator #2 and #3s' PTOs were issued January 4, 2002.
23. Emissions of VOC from Laminator #1 were subject to an emission limitation of forty percent VOC by volume of the coatings and ink excluding water; or twenty-five percent VOC by volume of the volatile matter in the coating and ink, as required by its PTO and in accordance with OAC 3745-21-09(Y).
24. Emissions of VOC from Laminator #2 were subject to an emission limitation of forty percent VOC by volume of the coatings and ink excluding water; or twenty-five percent VOC by volume of the volatile matter in the coating and ink, as required by its PTO and in accordance with OAC 3745-21-09(Y).
25. ICI's PTO, Part I.3, also required ICI to submit quarterly deviation reports.

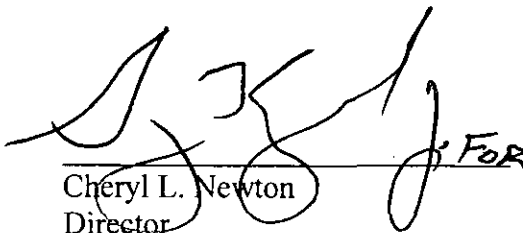
### Explanation of Violations

26. The facility failed to comply with certain provisions of the Printing and Publishing NESHAP regulations.
27. Specifically, ICI failed to comply with the initial reporting requirements found at 40 C.F.R. § 63.830(b)(1).
28. ICI also failed to maintain records of the mass of all HAP containing materials used and the mass fraction of HAP present in each HAP containing material used on a monthly basis, as required by 40 C.F.R. § 63.829(d).
29. ICI failed to comply with the VOC emission limitation on Laminator #1 on at least one day in 2007, in violation of the conditions of ICI's PTO.
30. ICI failed to comply with the VOC emission limitation on Laminator #2 on at least 17 days in 2007, in violation of the conditions of ICI's PTO.
31. Finally, ICI failed to comply with the reporting requirements contained in Part I.3 of ICI's PTO.
32. The violations of the Printing and Publishing NESHAP and of ICI's permits constitute violations of the Act.

### **Environmental Impact of Violations**

33. Violation of the NESHAP standards may cause serious health effects, such as birth defects and cancer, and harmful environmental and ecological effects.
34. Violations of the monitoring, recordkeeping, and reporting requirements prevent EPA from knowing whether an affected facility has maintained compliance with the applicable emission standards.

6/1/10  
Date

  
Cheryl L. Newton  
Director  
Air and Radiation Division

## CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Notice of Violation and Finding of Violation, No. EPA-5-10-OH-13, by Certified Mail, Return Receipt Requested, to:

Ken Neyhard, Vice President, Operations  
International Converter, Inc.  
17153 Industrial Highway  
Caldwell, Ohio 43724

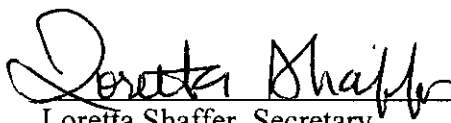
I also certify that I sent copies of the Finding of Violation by first class mail to:

Robert Hodanbosi, Chief  
Division of Air Pollution Control  
Ohio Environmental Protection Agency  
Lazarus Government Center  
P.O. 1049  
Columbus, Ohio 43216-1049

and

Bruce Weinberg, APC Manager  
Ohio Environmental Protection Agency  
Southeast District Office  
Air Pollution Group  
2195 Front Street  
Logan, Ohio 43138

on the 8 day of June, 2010.

  
Loretta Shaffer, Secretary  
AECAS, (MN/OH)

CERTIFIED MAIL RECEIPT NUMBER: 7001 0320 0006 0192 0485